

PROB 12C
(6/16)

Report Date: January 22, 2024

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Jan 23, 2024

SEAN F. McAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Justin T. Carter

Case Number: 0980 2:19CR00067-TOR-1

Address of Offender: [REDACTED], Spokane, Washington 99201

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: September 12, 2019

Original Offense: Distribution of Cocaine, 21 U.S.C. § 841(a)(1), (b)(1)(C);
 Distribution of Cocaine, 21 U.S.C. § 841(a)(1), (b)(1)(C);
 Possession with Intent to Distribute Cocaine, 21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - 71 Months; Type of Supervision: Supervised Release
 TSR - 60 Months

Asst. U.S. Attorney: Stephanie A. Van Marter Date Supervision Commenced: June 12, 2023

Defense Attorney: John Stephen Roberts, Jr. Date Supervision Expires: June 11, 2028

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 12/04/2023, and 01/03/2024.

On June 13, 2023, Mr. Justin Carter signed his conditions relative to case number 2:19CR00067-TOR-1, indicating he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition #4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Carter is alleged to have violated mandatory condition number 4 by ingesting cocaine, previously occurring on or about December 28, 2023, based on sweat patch testing.

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On December 28, 2023, a sweat patch was applied to Mr. Carter's person for the purpose of ongoing monitoring, and the patch was removed on January 9, 2024. Mr. Carter denied that the patch would return positive for any illicit substances at the time of patch removal. On January 22, 2024, the lab confirmation report was received by the U.S. Probation Office, confirming the patch worn by Mr. Carter was positive for cocaine.

On January 22, 2024, Mr. Carter was contacted telephonically in response to the received report. When confronted, Mr. Carter elevated his voice in defense of his sustained sobriety, indicating he had not relapsed during the time period in which he wore the device, clarifying that he was "too scared to use." Mr. Carter further stated that the circumstance was "bullshit" and he advised that if he was going to be punished for something that he had not done, then the Court should consider returning him to custody and removing his supervised release obligation.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 22, 2024

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other

Thomas O. Rice
United States District Judge

January 23, 2024

Date